

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

INDEPENDENT SERVICE  
PROVIDER, LLC

Plaintiff,

v.

Case No. 8:21-cv-730-TPB-TGW

JACOB GREENE,

Defendant.

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**ORDER GRANTING PLAINTIFF’S AMENDED MOTION TO REMAND**

This matter is before the Court on “Plaintiff’s Motion to Remand and Incorporated Memorandum of Law,” filed on April 16, 2021. (Doc. 18).<sup>1</sup> Defendant filed a response in opposition on April 30, 2021. (Doc. 24).

Plaintiff Independent Service Provider, LLC, filed suit in circuit court in Hernando County asserting state law claims for injunctive relief and breach of contract. Defendant Jacob Greene argues that Plaintiff’s claims are preempted by the Federal Aviation Administration Authorization Act, 49 U.S.C. § 14501(c)(1) (“FAAAA”), and that removal is proper based on the doctrine of complete preemption. Several decisions in this district and the Southern District of Florida have rejected identical arguments and remanded the cases to state court. As Judge Honeywell recently concluded:

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<sup>1</sup> Because Plaintiff’s motion to remand was filed as an amended motion, the Court has denied Plaintiff’s original motion as moot. (Docs. 14; 31).

The FAAAA is not one of those statutes recognized by the courts as converting an ordinary state common-law complaint into one stating a federal claim for purposes of the well-pleaded complaint rule. And Defendant fails to cite persuasive legal authority to this Court demonstrating *complete* preemption extends to the FAAAA and Plaintiff's claims here.

*Independent Service Provider, LLC v. Kelley*, No. 8:21-cv-748-CEH-AEP, 2021 WL 1890707 at \*2 (M.D. Fla. May 11, 2021); *see also C Pepper Logistics LLC v. Brannen*, No. 21:60670-CIV-DIMITROULEAS (S.D. Fla. May 5, 2021); *C Pepper Logistics LLC v. Davis*, No. 6:21-cv-559-PGB-EJK (M.D. Fla. Apr. 21, 2021). The Court finds the analysis in these orders persuasive and adopts it as equally applicable here. Plaintiff's motion to remand is granted.

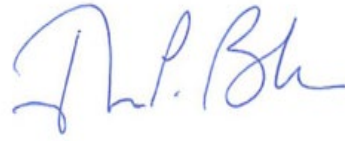
Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

1. "Plaintiff's Motion to Remand and Incorporated Memorandum of Law" (Doc. 18) is **GRANTED**.
2. This case is **REMANDED** to the Circuit Court of the Fifth Judicial Circuit in and for Hernando County, Florida.
3. Once remand is effected, the Clerk is directed to terminate any pending motions and deadlines and thereafter **CLOSE THIS CASE**.

**DONE and ORDERED** in Chambers, in Tampa, Florida, this 21st day of

May, 2021.

A handwritten signature in blue ink, appearing to read "T. Barber", is positioned above a horizontal line.

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**TOM BARBER**  
**UNITED STATES DISTRICT JUDGE**